IN THE HIGH COURT OF JUDICATURE AT PATNA

CR.MISC. NO.27328 OF 2008

1. BINAYAK SINGH, SON OF LATE HARINANDAN SINGH
2. JAGDAMBA SINGH, SON OF JHAPSI SINGH

BOTH ARE RESIDENT OF VILLAGE CHANDA, POLICE STATION KHUDWAN, DISTRICT AURANGABAD

VERSUS

THE STATE OF BIHAR

WITH

CR.MISC. NO.11205 OF 2008

RAJ KUMAR THAKUR, SON OF LATE MAHESHWAR THAKUR, RESIDENT OF VILLAGE PANCHAHRA, POLICE STATION KHUDWAN, DISTRICT AURANGABAD

VERSUS

THE STATE OF BIHAR

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3 11.11.2008 Criminal Misc. No. 27238 of 2008 on behalf of Binayak Singh & Jagdamba Singh and Criminal Misc. No. 11205 of 2008 on behalf of Raj Kumar Thakur arises out of the same occurrence and therefore, they are heard together and disposed of by this common order.

Heard Counsel for the petitioners and the A.P.P. representing the State.

Petitioners are accused of a case which has been registered under Section 386 of the Indian Penal Code and Section 17 of the Criminal Law (Amendment) Act, 1908. The case has been registered against 25-30 unknown criminals on the allegation that trucks were set ablaze by the criminals.

Submission is that the petitioners are neither named in the First Information Report nor have been put on Test Identification Parade. There is no material to

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connect the petitioners with the alleged offence. Considering the very aspect of the case, a number of accused persons have been granted bail by the Court below as well as this Court.

Considering the facts and circumstances of the case, petitioners, namely, Binayak Singh, Jagdamba Singh and Raj Kumar Thakur are directed to be released on bail in Khudwan Police Station Case No. 15 of 2005 on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad.

Anand (Shyam Kishore Sharma, J.)

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